

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRIAN MICHAEL CLARK,

Defendant.

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Case No. 20-00329-01-CR-W-GAF

ORDER

On September 26, 2023, Defendant appeared pursuant to Fed. R. Crim. P. 11, Local Rule 72.1(b)(1)(J) and 28 U.S.C. § 636 and entered a plea of guilty pursuant to Fed.R.Crim.P. 11(c)(1)(A) and (C) to Count One of the Information before United States Magistrate Judge Lajuana M. Counts. The defendant also admitted to the Forfeiture Allegation in the Information and agreed to forfeit the property described therein. On September 26, 2023, Judge Counts issued her Report and Recommendation (Doc. #63). The Government filed its Response to the Report and Recommendation on September 27, 2023 (Doc. #64) stating that the Government has no objections.

Upon careful and independent review, this Court finds that defendant's plea was knowledgeable and voluntary and that the offense charged is supported by an independent basis in fact containing each of the essential elements of such offense. Accordingly, this Court hereby adopts and incorporates as its own Opinion and Order the Report and Recommendation of United States Magistrate Judge Lajuana M. Counts.

Accordingly, it is hereby ORDERED that defendant's plea of guilty is conditionally accepted. The defendant's sentencing hearing will be scheduled and the parties notified of the date and time of sentencing.

SO ORDERED.

s/ Gary A. Fenner
GARY A. FENNER, JUDGE
UNITED STATES DISTRICT COURT

DATED: October 11, 2023